

A CERTIFIED TRUE COPY

ATTEST

By Tarrell L. Littleton on Dec 14, 2009

FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FILED

Dec 14, 2009

2009 DEC 23 A 9:48

FILED  
CLERK'S OFFICE

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
on  
MULTIDISTRICT LITIGATION

IN RE: CONOCOPHILLIPS CO. SERVICE  
STATION RENT CONTRACT LITIGATION

C09 06014RMW

MDL No. 2040

HRL

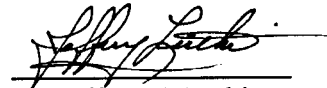
(SEE ATTACHED SCHEDULE)

### ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in the actions listed on the attached Schedule A on September 29, 2009. Prior to expiration of that order's 15-day stay of transmittal, plaintiffs in these actions filed a notice of opposition to the proposed transfer and the subsequent motion and brief to vacate the conditional transfer order. The Panel has now been advised that plaintiffs wish to withdraw their opposition to transfer.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-3" filed on September 29, 2009, is LIFTED. The actions are transferred to the Northern District of California for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Ronald M. Whyte.

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

**IN RE: CONOCOPHILLIPS CO. SERVICE  
STATION RENT CONTRACT LITIGATION**

MDL No. 2040

**SCHEDULE A**

Central District of California

Ray Merpour v. ConocoPhillips Co., C.A. No. 2:09-5704  
Moussa Karimi v. ConocoPhillips Co., C.A. No. 2:09-5705  
HM Khosh, Inc. v. ConocoPhillips Co., ~~C.A. No. 2:09-5706~~

Eastern District of California

Kasra Khadivi Dimbali v. ConocoPhillips Co., C.A. No. 2:09-2242

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana  
  
Kathryn H. Vratil  
United States District Court  
District of Kansas  
  
David R. Hansen  
United States Court of Appeals  
Eighth Circuit

W. Royal Furgeson, Jr.  
United States District Court  
Northern District of Texas  
  
Frank C. Damrell, Jr.  
United States District Court  
Eastern District of California  
  
David G. Trager  
United States District Court  
Eastern District of New York

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888  
<http://www.jpml.uscourts.gov>

December 14, 2009

Richard W. Wieking, Clerk  
2112 U.S. Courthouse  
280 South First Street  
San Jose, CA 95113

**C 09 06014**

**RMW**  
**HRL**

Re: MDL No. 2040 -- IN RE: ConocoPhillips Co. Service Station Rent Contract Litigation

(See Attached Order)

Dear Mr. Wieking:

A conditional transfer order was filed in the above matter on September 29, 2009. Prior to the expiration of that order's 15-day stay, opposition to the proposed transfer was filed and, pursuant to Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), the conditional transfer order was stayed until further order of the Panel. The opposition has now been withdrawn and I am therefore attaching as a separate PDF document a certified copy of today's order lifting the stay of the conditional transfer order and transferring the action to your district pursuant to 28 U.S.C. § 1407. The order is directed to you for filing.

A Panel Service List is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By Tarrell L. Littleton  
Tarrell L. Littleton  
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Ronald M. Whyte

**IN RE: CONOCOPHILLIPS CO. SERVICE  
STATION RENT CONTRACT LITIGATION**

MDL No. 2040

**PANEL SERVICE LIST**

Thomas P. Bleau  
BLEAU FOX PLC  
3575 Cahuenga Boulevard West  
Suite 580  
Los Angeles, CA 90068

Adam D. Friedenberg  
GLYNN & FINLEY LLP  
One Walnut Creek Center  
100 Pringle Avenue  
Suite 500  
Walnut Creek, CA 94596

Gennady L. Lebedev  
BLEAU FOX PLC  
3575 Cahuenga Boulevard West  
Suite 580  
Los Angeles, CA 90068